

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALISHA PROSSER,

Plaintiff,

v.

STRATEGIC STUDENT SOLUTIONS, LLC,

Defendant.

Case No. 2:16-cv-00743-APG-PAL

**ORDER ACCEPTING IN PART
REPORT AND RECOMMENDATION
AND STRIKING ANSWER AND
ENTERING DEFAULT**

(ECF No. 12)

On October 12, 2016, Magistrate Judge Leen entered a report and recommendation recommending that I strike the defendant's answer and enter default judgment against it because the defendant has not complied with the court's orders. ECF No. 12. Defendant Strategic Student Solutions, LLC did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)). I nevertheless conducted a de novo review. 28 U.S.C. § 636(b)(1). Judge Leen sets forth the proper legal analysis and factual basis for striking the answer. However, the Complaint does not contain sufficient information for me to enter default judgment without additional evidence about damages.

IT IS THEREFORE ORDERED that Judge Leen's report and recommendation (ECF No. 12) is accepted in part. Defendant Strategic Student Solutions, LLC's answer (ECF No. 6) is STRICKEN. The clerk of court shall enter a default as to defendant Strategic Student Solutions, LLC. The plaintiff thereafter may move for default judgment.

DATED this 3rd day of November, 2016.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE